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not the only evidence. *Pine Bluff & A. R. R. Co. v. McKenzie,* 75 Ark., 100. But where it was the unvaried custom of the railroad company to require a bill of lading before moving a car, the relation of carrier and shipper did not exist until the bill of lading issued. *L. & N. R. R. Co. v. United States,* 39 Court of Claims, 405; *American Lead Pencil Co. v. N. C. & S. R. Co.,* 134 S. W., 613. The decisions are in entire accord that where the shipper retains any suggestion of control over the car and its contents the liability of the carrier does not attach. *Burrowes v. C. B. & Q. R. R. Co.,* 85 Neb., 497; *St. Louis, A. & T. R. R. Co. v. Montgomery,* 39 Ill., 335.

CHARITIES—INJURIES TO PATIENTS—LIABILITIES—"CHARITABLE INSTITUTION".—TAYLOR V. PROTESTANT HOSPITAL ASS'N., 96 N. E., 1089 (OHIO). —*Held,* the fact that a public charitable hospital receives pay from a patient for lodging and care does not affect its character as a "charitable institution," so that it remains not liable for injuries to a patient of the hospital, resulting from the negligence of a nurse employed by it.

It is generally held that the receipt of compensation from those enjoying the benefits of a charity such as a hospital, does not affect its nature as a charity. *Asylum v. Phoenix Bank,* 4 Conn., 172; *New England Sanitarium v. Stoneham,* 205 Mass., 335. It has also been the general rule that a charitable corporation is not liable for the injuries resulting from the negligence or tortious acts of a servant in the course of his employment when such corporation has exercised due care in his selection. Some have based this rule upon the theory that the trust funds of the corporation might otherwise become wholly diverted, thus thwarting the donor's intent. *McDonald v. Mass. General Hospital,* 120 Mass., 432. The more recent decisions, however, would seem to oppose this doctrine in that it "permits the will of the individual to nullify the will of the people." *Bruce v. Central M. E. Church,* 147 Mich., 230. Others have upheld the rule upon the ground of public policy. *Hearns v. Waterbury Hospital,* 147 Conn., 230. It is urged against this doctrine that it is a matter rather for legislative than judicial action. *Bruce v. Central M. E. Church,* 147 Mich., 230; *Powers v. Mass. Homeopathic Hospital,* 109 Fed., 294. It would therefore appear that the strongest argument for the rule is that a person who accepts the benefits of a charity assumes the risk of negligence in its administration. *Powers v. Mass. Homeopathic Hospital,* 109 Fed., 294. If, as recent cases would indicate, this is the correct doctrine on which to base the immunity of a charitable corporation for its servants' torts, it is obvious that it is applicable only to the *beneficiaries* of the charity in question, the ordinary liability of a master existing as to all others. *Hewett v. Women's Hospital,* 73 N. H., 556; *Hordern v. Salvation Army,* 199 N. Y., 233.

CONSTITUTIONAL LAW—EQUAL PROTECTION OF THE LAWS—DISCRIMINATION IN LICENSE TAX.—WING V. KIRKENDALL, 32 SUP. CT., 192.—*Held,* exempting steam laundries and women engaged in the laundry business, where not more than two women are employed, from the license tax imposed by Mont. Rev. Codes, 2776, upon the laundry business, does not deny the equal protection of the laws to a man operating a hand laundry.

The constitution will suffer no other or greater burdens or charges to be laid upon one than such as are equally borne by others. *Ex parte Virginia,* 100 U. S., 339; *Barbier v. Connelly,* 113 U. S., 27,, 31. But a law may discriminate in favor of a certain class, and if founded on a reasonable distinction of principle, it does not deny the equal protection of the laws. *American Sugar Co. v. Louisianna,* 179 U. S., 89. The legislature is not required to tax all occupations equally or uniformly. *State ex rel. San Toi v. French,* 17 Mont., 54. Classification is presumed to be reasonable unless proved by the plaintiff to the contrary. *Fayetteville v. Carter,* 52 Ark., 301; *Van Hook v. Selma,* 70 Ala., 361; *Littlefield v. State,* 42 Neb., 223. But it operates equally and uniformly upon all persons in similar circumstances. *Magoun v. Illnois T. & S. Bank,* 170 U. S., 283; *Kaliski v. Grady,* 25 La. Ann., 576. It must not be aimed at a certain race. *Wo Lee v. Hopkins,* 118 U. S., 356. There is a ground of distinction in sex. *Com. v. Hamilton Mfg. Co.,* 120 Mass., 383; *Wenham v. State,* 65 Neb., 394; *State v. Buchanon,* 29 Wash., 602.

CORPORATIONS—POWERS—ACCOMMODATION INDORSEMENT.—WALLER V. GORMAN MERCANTILE CO., 161 S. W., (TEXAS), 833.—*Held,* that a corporation has no power to make, indorse, or otherwise become liable, on commercial paper for the mere accommodation of another person or corporation.

It is a well settled rule that a corporation has no authority to issue or indorse bills or notes for the mere accommodation of another. *Pick v. Ellinger,* 66 Ill. App., 570; *Blake v. Domestic Mfg. Co.,* 64 N. J. Eq., 480; *Park Hotel Co. v. Fourth Nat. Bk.,* 86 Fed., 742. Even bank corporations are not exceptions to the general rule. *Nat. Bk. v. Atkinson,* 55 Fed., 465; *Morford v. Farmer's Bank,* 26 Barb. 568. Nor does the fact that a majority of the stockholders consent validate such a transaction. *Cook v. Amer. Tubing Co.,* 28 R. I., 41. Yet Mr. Cook (*Corporations,* 774), says there is no rule of public policy prohibiting such an indorsement by a corporation. For this reason it has been held that a private corporation, by the consent of all its stockholders, may execute accommodation paper by which it will be bound. *Murphy v. Ark. Land Co.,* 97 Fed., 723; *Perkins v. Trinity Realty Co.,* 69 N. J. Eq., 723. At any rate, where such an instrument passes into the hands of a *bona fide* purchaser without notice before maturity, it may be enforced. *Monument Nat. Bk. v. Globe Works,* 101 Mass., 57; *Credit Co. v. Howe Machine Co.,* 54 Conn., 357.

ELECTRICITY—INJURIES—PROXIMATE CAUSE.—FREEMAN V. MISSOURI & KANSAS TELEPHONE CO. ET AL., 142 S. W., 733 (Mo.).—*Held,* that the negligence of a telephone company in failing to discover for six months the contact of one of its wires with a charged wire of an electric company is part of the proximate cause of an injury to a person shocked in touching a telephone pole guy wire.

The rule stated in the leading case is in accord with authority on this point. It has been frequently held that where the negligence of an electric